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REMARKS

Claims 1-18, as amended, remain herein.

Editorial changes have been made in claims 1-18 better to point out applicant's invention.

Claims 17 and 18 have been amended to recite the limitations of claim 19; the latter claim has been cancelled without prejudice or disclaimer.

The specification has been edited to remove references to the claims.

1. The Examiner is asked to provide an initialed copy of PTO Form 1449 indicating receipt and consideration of references accompanying the Information Disclosure Statement filed May 9, 2000.

2. Claims 4, 10, 13, 14, 16 and 18 were rejected under 35 U.S.C. §112, second paragraph, for reciting terms in parentheses. Claims 4, 13, 14, 16 and 18 have been amended to moot the rejection. Also, claims 11 and 15 have been amended to remove

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terms in parentheses. Reconsideration and withdrawal of the rejection are respectfully requested.

3. Claim 1 was rejected under 35 U.S.C. §102(b) over Kitada U.S. Patent 5,606,611.

The presently claimed data transmission and reception method is directed to receiving, on the basis of a reception contract, data transmitted from a transmitting end, wherein the transmitting end manages the reception contract on the basis of (1) the group ID numbers or (2) the individual ID numbers. This method is nowhere disclosed or suggested in the cited reference.

The presently claimed invention may be deemed a "flexible contract" that can select whether the reception contract is executed for each receiver "or" collectively for a group of plural receivers.

Kitada '611, column 1, lines 46-52, is alleged to disclose a method permitting a management apparatus to manage and transmit update information to receiving stations having individual ID numbers, wherein the receiving stations are divided at the transmitting end into plural groups each having a

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group ID number; the Examiner asserts that the reception contract can be managed on the basis of the individual ID numbers or the group ID numbers. Actually, Kitada '611 discloses managing the update transmittal on the basis of only the group ID numbers, and not on the basis of two alternative options of (1) the group ID numbers or (2) the individual ID numbers. Kitada '611, column 1, lines 42-45, states:

According to a receiving station management apparatus of the present invention, receiving stations are formed into a plurality of groups, and associated information (to be referred to hereinafter as "group information" hereinafter)

Thus, Kitada '611 defines such information associated with the groups as "group information", not individual receiver ID numbers, which are not mentioned at all. Kitada '611, column 1, lines 47-56 reads:

The associated information includes group bits for grouping of the receiving stations, and station identification bits (group bits and station identification bits will be generically referred to hereinafter as "a group ID" or "group identification") for identifying a network to which each receiving station belongs.

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Accordingly, although Kitada '611 teaches using "station identification bits" for "identifying a network to which each receiving station belongs", Kitada '611 does not disclose or suggest that such identification bits define a complete receiver ID number. Rather, Kitada '611 uses such bits to identify the corresponding network and uses "group bits" to define group identifiers, but does not define receiver identifying numbers.

Moreover, the Office Action, page 4, lines 8-9, contains an admission by the Examiner that Kitada '611 does not manage the reception contract on the basis of the individual ID numbers. And, there is no portion in Kitada '611 (beyond those cited in the Office Action) disclosing or suggesting that the transmitting end manages the reception contract on the basis of such "station identifying bits" or alternatively, such "group bits," with reference to managing the reception contract according to alternative types of ID numbers recited in applicants' claim 1. Thus, Kitada '611 does not disclose managing the reception contract on the basis of (1) the individual ID numbers or (2) the group ID numbers, as recited in applicants' claim 1.

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For the foregoing reasons, Kitada '611 fails to disclose all elements of applicants' claimed invention, and therefore is not a proper basis for rejection under §102. And, there is no disclosure or teaching in Kitada '611 that would have suggested the desirability of modifying any portions thereof effectively to suggest applicants' presently claimed invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

4. Claims 1, 3, and 5 were rejected under 35 U.S.C. §103(a) over Kitada '611 and Sasa U.S. Patent 4,998,278.

The Examiner admits that Kitada '611 does not disclose the method for managing the individual ID numbers, and cites Sasa '278 as allegedly teaching same. However, Sasa '278 does not overcome the deficiencies of Kitada '611 described above.

Sasa '278 does not teach managing the reception contract according to alternative types of ID numbers, i.e., Sasa '278 does not teach managing the reception contract on the basis of (1) the individual ID numbers or (2) the group ID numbers, as recited in applicants' claim 1.

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For the foregoing reasons, neither Kitada '611 nor Sasa '278 contains any teaching, suggestion, reason, motivation or incentive that would have led one of ordinary skill in the art to applicants' claimed invention. Nor is there any disclosure or teaching in either of these references that would have suggested the desirability of combining any portions thereof effectively to suggest applicants' presently claimed invention. Claims 3 and 5, which depend from claim 1, are allowable for the same reasons described herein for claim 1. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

5. Claim 2 was rejected under 35 U.S.C. §103(a) over Kitada '611, Sasa '278 and Saito U.S. Patent 5,901,339.

The Examiner admits that Kitada '611 and Sasa '278 do not disclose a method of updating the reception contract at a regular time interval, and cites Saito '339 as allegedly teaching same. But, Saito '339 does not teach managing the reception contract according to alternative types of ID numbers, i.e., Saito '339 does not teach managing the reception contract

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on the basis of (1) the individual ID numbers or (2) the group ID numbers, as recited in applicants' claim 1 from which claim 2 depends. Therefore, Saito '339 does not overcome the deficiencies of Kitada '611 and Sasa '278 described herein. Claim 2 likewise is patentable.

6. Claim 4 was rejected under 35 U.S.C. §103(a) over Kitada '611, Sasa '278 and Beyers II et al. U.S. Patent 5,420,923.

The Examiner admits that Kitada '611 and Sasa '278 do not disclose the portion of the data stream being a service, and cites Beyers II '923 as allegedly teaching same. But, Beyers II '923 does not teach managing the reception contract according to alternative types of ID numbers, i.e., Beyers II '923 does not teach managing the reception contract on the basis of (1) the individual ID numbers or (2) the group ID numbers, as recited in applicants' claim 1 from which claim 3 depends. Therefore, Beyers II '923 does not overcome the previously discussed deficiencies of Kitada '611 and Sasa '278. Claim 4 is patentable also.

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7. Claims 6-12 were rejected under 35 U.S.C. §103(a) over Kitada '611, Sasa '278, Beyers II '923, Kubota et al. U.S. Patent 5,787,171, Matsuzaki et al. U.S. Patent 6,289,314 and Rathus et al. U.S. Patent 5,932,863, and claims 14-16 were rejected under 35 U.S.C. §103(a) over Kitada '611, Sasa '278, Beyers II '923, Kubota '171, Matsuzaki '314 and Rathus '863. Both rejections are traversed.

The Examiner admits that none of Kitada '611, Sasa '278, Beyers II '923 disclose management of receiving contracts using individual receiver ID numbers and cites Kubota '171, column 11, lines 25-59, as allegedly teaching same. However, Kubota '171 does not further teach managing the reception contract according to alternative types of ID numbers, i.e., Kubota '171 does not teach managing the reception contract on the basis of (1) the individual ID numbers or (2) the group ID numbers, as recited in applicants' claim 1. Therefore, Kubota '171 does not overcome the stated deficiencies of Kitada '611, Sasa '278 and Beyers II '923.

None of Matsuzaki '314 or Rathus '863 teach managing the reception contract according to alternative types of ID numbers,

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i.e., these references do not teach managing the reception contract on the basis of (1) the individual ID numbers or (2) the group ID numbers, as recited in applicants' claim 1, from which claims 6-12 depend. The claims are patentable also.

8. Claims 17 and 19 were rejected under 35 U.S.C. §103(a) over Kitada '611, Sasa '278, Beyers II '923, Kubota '171, Matsuzaki '314 and Rathus '863. Claim 17 has been amended to recite the limitations of now-cancelled claim 19.

The Office Action, page 16, first full paragraph, reads:

Katada-Sasa-Beyers-Kubota-Matsuzaki does not explicitly teach the method of notifying the transmitting end the piece of information that shows the receivers belong to the same group. As mentioned before, if the receivers in the same house share the same telephone to connect to the transmitting end, the transmitting device shall be able to track the same telephone number by using the "caller ID" function to compare if the receivers belong to the same group.

However, applicants' claim 17 recites "comprising ID number notification means for communicating to the transmitting end at least the individual ID number and the group ID number of the receiver, through a telephone line connected to the receiver, at predetermined time intervals", while Rathus '863 discloses

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scanning desired goods and the like listed in a catalog for catalog shopping, using a sensor, and employing only caller's ID to transmit the scanned information to the data center of the online provider. Accordingly, Rathus '863 does not provide the concept of informing the transmitting end whether or not the receivers belong to the same group, i.e., communicating "at least the individual ID number and the group ID number of the receiver, through a telephone line connected to the receiver, at predetermined time intervals", as recited in applicants' claim 17. The claim patentably defines over the reference.

9. Claim 18 was rejected under 35 U.S.C. §103(a) over Kitada '611, Sasa '278, Beyers II '923, Kubota '171, Matsuzaki '314, Rathus '863 and Ohkura et al. U.S. Patent 6,347,400.

The Office Action, page 18, last full paragraph, contains an admission that Katada-Sasa-Beyers-Kubota-Matsuzaki does not explicitly teach a demultiplexing means for extracting the history of viewing as recited in applicants' claim 18, and cites Ohkura '400 as allegedly teaching same, as stored in an IC card. It is asserted that Ohkura '400 allegedly teaches history

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viewing uploaded to a viewing information processing/collection system from a modem via a telephone modular jack and the system charging the user for purchased PPV programs. However, as already noted, the Examiner at page 16, first full paragraph of the Office Action, admits that the combination "Katada-Sasa-Beyers-Kubota-Matsuzaki does not explicitly teach the method of notifying the transmitting end the piece of information that shows the receivers belong to the same group." And, as also noted already, Rathus '863 does not provide the concept of communicating to the transmitting end whether or not the receivers belong to the same group, i.e., communicating "at least the individual ID number and the group ID number of the receiver, through a telephone line connected to the receiver, at predetermined time intervals", as recited in applicants' claim 17. Claim 18 is patentable too.

All claims 1-18 are now proper in form and patentably distinguished over all grounds of rejection stated in the Office Action. Accordingly, allowance of all claims 1-18 is respectfully requested.


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Should the Examiner deem that any further action by the applicants would be desirable to place this application in even better condition for issue, the Examiner is requested to telephone applicants' undersigned representatives.

Respectfully submitted,

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